

**Notice of Allowability**

Application No.

09/883,941

Applicant(s)

UMEMOTO ET AL.

Examiner

Tarifur R Chowdhury

Art Unit

2871

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 09/29/03.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ including changes required by the proposed drawing correction filed 03/10/03, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other _____  |

***Allowable Subject Matter***

1. Claims 1-9 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. The prior arts of record do not anticipate or render obvious to one skilled in the art a cell substrate for a liquid crystal display panel comprising a transparent resin plate; a conductive layer provided on the transparent resin plate; and a transparent layer, which has a lower refractive index than the transparent resin plate, interposed between the transparent resin plate and the conductive layer, wherein the thickness of the transparent layer is more than 380 nm.
4. The closest reference JP 06-222352 (Shozo) discloses a transparent conductive laminate for a touch panel having a similar structure as the claimed invention such as a transparent resin plate; a conductive layer provided on the transparent resin plate; and a dielectric film, which has a lower refractive index than the transparent resin plate, interposed between the transparent resin plate and the conductive layer. However, the maximum thickness of the dielectric film disclosed by Shozo is 300 nm, which does not overlap the claimed thickness range of more than 380 nm. Further, the newly cited reference, USPAT 5,614,287 is related to a recording medium that includes a dielectric film having a maximum thickness of 160 nm. Also, USPAT 6,480,250 (Matsufuji), related to a low -reflection transparent conductive multi layer film comprising, in the order described, a transparent substrate, a hard coat, a transparent conductive layer, at least one transparent protective layer for the conductive layer wherein the protective layer have different refractive index than the conductive layer and having a thickness in

the range of 10 to 1200 nm. However, substituting the dielectric film of Shozo with a protective layer described in Matsufuji would fail to establish a prima facie case of obviousness since neither of the prior art alone or in combination provide the requisite suggestion or reasonable expectation of success. This is because no evidence exists that the protective layer of Matsufuji would have been considered by an artisan to be relevant to a problem or any other characteristic possessed by Shozo.

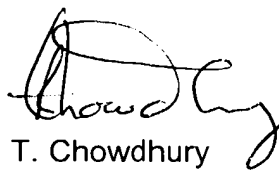
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R Chowdhury whose telephone number is (703) 308-4115. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

TRC  
October 28, 2003



T. Chowdhury  
Primary Examiner  
Technology Center 2800